

A salient aspect of the invention resides in the placement of the hook strips on flaps. The flaps are positionable to permit one panel to attach to another, and are also positionable to preclude panels from attaching to one another by instead attaching to its own panel. This permits soft sculptures to be constructed which include securely attached adjacent parts, detached adjacent parts, and, interestingly, hinged adjacent parts. The hinging action can result by attaching a panel to an adjacent panel along only one edge. Moreover, sculptures can be constructed without the use of separate connector strips.

With respect to Dodge, each panel has loops on one broad side and hooks on the other. As a result, adjacency of panels can result in an attachment. Separate connector strips can be used to bridge panels as well. However, Dodge does not teach a construction in which an attached flap moves so as to attach to the same panel in one position or to be hingedly moved to a second position for attachment between two adjacent panels. Because the opposing surfaces of Dodge's pieces have different features (either hooks or loops), the connector strips cannot be attached to one piece for movement as claimed.

Newly presented claim 11 further recites that the "surface of loops of each said panel covers the entire panel." The feature of this claim, combined with the features of claim 1, further remove Applicant's invention from the disclosure of Dodge. Dodge is directed to a different arrangement in which individual geometric shapes can be

{M:\4186\OK549\DL5898.DOC;1}

directly attached to one another by virtue of having hooks on one broad surface and loops on the other. The invention defined by claim 11, by contrast, requires the use of hook strips mounted on concealable surfaces of a flap. This feature is absent from Dodge.

Reconsideration of the rejection of the claims as being anticipated by Dodge is requested.

With respect to Shillito, that patent describes a holder for jigsaw pieces. There are hinged securely tabs 23 with VELCRO portions 24 useable to secure the holder in a closed position, but those tabs 23 do not attach themselves to the same panel to secure the flap when in a position to conceal the hook strips. Rather, the tabs attach to a different panel to lock two panels together, and are otherwise disclosed as being in an open position with exposed hooks. Consequently, the amended claims define over Shillito and withdrawal of the anticipation rejection is requested.

Moreover, newly presented claim 11 is not rendered obvious over the combination of Dodge and Shillito because the proposed combination fails to teach or suggest a construction in which the tabs attach themselves to the same panel panel to secure the tab when in a position to conceal the hook strips.

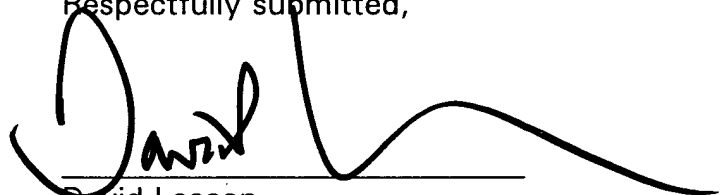
Consequently, the structures of these references lack the versatility of the claimed toy building construction set.

{M:\4186\OK549\DL5898.DOC;1}

For the foregoing reasons, Applicant submits that the invention defined by the claims now pending is neither anticipated nor rendered obvious over the cited references.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Leason', is written over a horizontal line.

David Leason
Reg. No. 36,195
Attorney for Applicants

DARBY & DARBY, P.C.
Post Office Box 5257
New York, NY 10150-5257
Phone (212) 527-7700

{M:\4186\OK549\DL5898.DOC;1}

Serial No. 10/067,852
Response to Office Action dated October 2, 2002

Docket No. 4186/OK549
Page 6

MARK-UP TO AMEDMENT

1. (Once Amended) A toy building construction set, comprising:

- i) a plurality of geometrically shaped thin panels, each said panel having a soft texture and providing a surface of loops; and
- ii) a flap attached to and extending from each of said panels, said flap being hingedly attached to move between a first position having an exposed surface and a
position
second, secure position that conceals said exposed surface;
- iii) hook strips positioned on [at sides of] said exposed surface [geometrically shaped thin panels]; wherein one of said panels can be attached to one another of said panels by use of said [loop and] hook strips when said flap is in said first position [positioned at said sides of said panels] and wherein said flap of said one panel secures to that same panel when said flap is in the second position.

10. (Once Amended) The toy building construction set according to claim 1, wherein said panels are between about one-half inch and about one inch in width.